

**REMARKS**

Responsive to the Examiner's Notice of Non-Compliant Amendment mailed June 2, 2009, Applicant has submitted properly amended claim 1. Claim 1, portion "(d)" has been amended to delete "codes" and add "code phases". It was an inadvertent error to amend the wrong portion of claim 1, paragraph (d) in the previously filed Response to Notice of Non-Compliant Amendment, dated March 20, 2009. Accordingly, it is believed that the claims are now proper.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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